

Exhibit B

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SOVERAIN SOFTWARE LLC

v.

CDW CORPORATION ET AL.

CASE NO. 6:07-CV-511-LED

JURY DEMANDED

**DECLARATION OF KENT E. BAULDAUF JR. IN SUPPORT OF DEFENDANT
NEWEGG INC.'S AGREED BILL OF COSTS**

I, Kent E. Baldauf, Jr., declare as follows:

1. I am counsel for Defendants Newegg, Inc. (“Newegg”). I submit this declaration in support of Newegg’s Agreed Bill of Costs in accordance with 28 U.S.C. § 1924. I have personal knowledge of the matters set forth in this declaration.

2. I have reviewed the items claimed in Newegg’s Bill of Costs. I hereby verify that they are correct to the best of my knowledge, that they have been necessarily incurred in this action, and that the services for which fees have been charged were actually and necessarily performed.

3. The costs enumerated in Newegg’s Bill of Costs and detailed below are allowed by law, are correctly stated, and were necessarily incurred in the case. The services for which fees have been charged were actually and necessarily performed.

4. Newegg incurred costs of \$455.00 in connection government fees. Those costs are summarized as follows:

Description	Fee
Notice of Appeal	\$ 455.00
Total	\$ 455.00

Attached as Exhibit B-1 are true and correct copies of invoices reflecting these costs.

5. Newegg incurred costs of \$45,715.75 in deposition transcript costs, which were necessarily obtained for use in this case. Those costs are summarized as follows:

Deposition	Fee
Deposition of Mark Cirmotich, November 19, 2008	\$947.00
Deposition of John Harlan Schachat, February 5, 2009 (video)	\$478.00
Deposition of John Harlan Schachat, February 5, 2009	\$928.00
Deposition of James Wu, July 8, 2009	\$1,766.00

Deposition	Fee
Deposition of James Wu, July 8, 2009 (video)	\$478.00
Deposition of James Wu and Lucy Huo, July 9, 2009 (invoiced together)	\$1,600.50
Deposition of Lucy Huo, July 9, 2009 (video)	\$478.00
Synchronizing of videos and written transcripts of Dr. Michael Shamos (September 1, 2009), James Wu (July 9, 2009), James Nawrocki (September 24, 2009), and Christopher Blakewell (September 25, 2009) (invoiced together)	\$1,640.00
Synchronizing of videos and written transcripts of James Wu (July 8-9, 2009), Katherine Wolanyk (August 20, 2009), and Jack Grimes, Ph. D. (September 10, 2009) (invoiced together)	\$1,520.00
Deposition of Rick Quiroga and Lee Cheng (invoiced together), July 15, 2009	\$2,723.00
Deposition of Lee Cheng and Rick Quiroga, July 15, 2009 (invoiced together) (video)	\$778.00
Deposition of G. Winfield Treese, July 24, 2009 (video)	\$1,138.50
Deposition of G. Winfield Treese, July 24, 2009	\$552.00
Synchronizing of videos and written transcripts of G. Winfield Treese (July 24, 2009), Andrew C. Payne (July 30, 2009), Dr. Lawrence C. Stewart (August 4, 2009) and Shikhar Gosh (August 25, 2009) (invoiced together)	\$640.00
Deposition of Andrew C. Payne, July 30, 2009 (video)	\$978.50
Deposition of Andrew C. Payne, July 30, 2009	\$469.20
Deposition of Lawrence C. Stewart, August 4, 2009 (video)	\$1,260.00
Deposition of Lawrence C. Stewart, August 4, 2009	\$579.60
Deposition of Thomas Levergood, August 14, 2009 (video)	\$702.50
Deposition of Thomas M. Levergood, August 14, 2009	\$395.60
Deposition of Katharine Wolanyk, August 20, 2009	\$1,397.70
Deposition of Katharine Wolanyk, August 20, 2009 (video)	\$887.50
Deposition of Shikhar Ghosh, August 25, 2009	\$907.50
Deposition of Shikhar Ghosh, August 25, 2009	\$579.60

Deposition	Fee
Deposition of Michael Shamos, Ph. D., September 1, 2009 (video)	\$274.20
Deposition of Michael Shamos, Ph. D., September 1, 2009	\$716.50
Deposition of Ed Tittel, September 2, 2009	\$797.50
Synchronizing of videos and written transcripts of Ed Tittel, September 2-3, 2009	\$720.00
Deposition of Ed Tittel, September 3, 2009	\$637.50
Deposition of Jack Grimes, Ph. D., September 10, 2009 (video)	\$2,684.35
Deposition of Jack Grimes, Ph. D., September 10, 2009	\$2,924.00
Deposition of James Nawrocki, September 24, 2009	\$5,891.00
Deposition of James Nawrocki, September 24, 2009 (video)	\$1,733.00
Deposition of Christopher W. Blakewell, September 25, 2009	\$3,104.50
Deposition of Christopher W. Blakewell, September 25, 2009 (video)	\$703.00
Deposition of Alexander Trevor, February 2, 2010	\$1,195.50
Deposition of Alexander Trevor, February 23, 2010 (video)	\$510.00
Total	\$ 45,715.75

Attached hereto as Exhibit B-2 are true and correct copies of invoices reflecting these costs.

6. Newegg incurred costs of \$3,914.00 in witness fees/costs as summarized below:¹

Witness	Attendance Days	No. of Days Recoverable for Subsistence Fees	Lodging, Meals & Incidental Expenses	Airfare	Mileage, Parking and Car Service	Attendance Fee	Totals
Ed Tittel	5 (5 trial)	5 (5 trial)	\$838.00	N/A	N/A	\$200.00	\$1,038.00
Sandy	5 (5 trial)	5 (5 trial)	\$838.00	N/A	N/A	\$200.00	\$1,038.00

¹ For Lodging, Meals and Incidental Expenses, see U.S. Gen. Servs. Admin., Per Diem Rates, Standard Rate for Texas destination: \$123/day (\$77 lodging + \$46 meals/incidentals); \$34.50 meals/incidentals for travel days. Attendance fee is \$40.00/day. See 28 U.S.C. § 1821.

Witness	Attendance Days	No. of Days Recoverable for Subsistence Fees	Lodging, Meals & Incidental Expenses	Airfare	Mileage, Parking and Car Service	Attendance Fee	Totals
Trevor							
Chris Blakewell	6 (5 trial + 1 depo)	5 (5 trial)	\$838.00	N/A	N/A	\$240.00	\$1,078.00
James Wu	6 (5 trial + 1 depo)	0	N/A	N/A	N/A	\$240.00	\$240.00
Lee Cheng	6 (5 trial + 1 depo)	0	N/A	N/A	N/A	\$240.00	\$240.00
Alexander Trevor	1 (1 depo)	0	N/A	N/A	N/A	\$40.00	\$40.00
Andrew Payne	1 (1 depo)	0	N/A	N/A	N/A	\$40.00	\$40.00
G. Winfield Treese	1 (1 depo)	0	N/A	N/A	N/A	\$40.00	\$40.00
Lawrence Stewart	1 (1 depo)	0	N/A	N/A	N/A	\$40.00	\$40.00
Lucy Huo	1 (1 depo)	0	N/A	N/A	N/A	\$40.00	\$40.00
Rick Quiroga	1 (1 depo)	0	N/A	N/A	N/A	\$40.00	\$40.00
Thomas Levergood	1 (1 depo)	0	N/A	N/A	N/A	\$40.00	\$40.00
Total	\$3,914.00						

7. Newegg incurred costs of \$2,366.35 in printing, including trial exhibits as summarized below:

Description	Fee
Preparing Graphics April 2011	\$ 2,366.35
Total	\$ 2,366.35

Attached hereto as Exhibit B-3 are true and correct copies of invoices reflecting these costs.

8. Newegg incurred \$ 3,889.55 in exemplification and copy costs, which included scanning and imaging and electronically processing documents for production, as summarized below and organized by month of cost incurred:

Description	Fee
October 2008	\$ 975.00
November 2008	\$ 2,914.55
Total	\$ 3,889.55

Attached hereto as Exhibit B-4 are true and correct copies of invoices reflecting these costs.

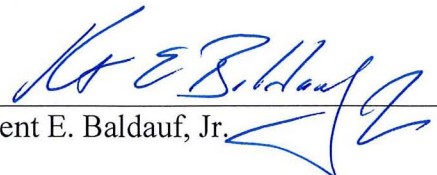
9. Newegg incurred the cost of a Court appointed technical consultant in the amount of \$4,166.67 as summarized below:

Description	Fees
Order Dated 4/8/2009	\$ 4,166.67
Total	\$ 4,166.67

Included in Exhibit B-5, attached hereto, are the Orders (Dkt. No. 213) ordering payment to Technical Consultant to the Court Michael T. McLemore and true and correct copies of a check request reflecting Newegg's costs.

10. Newegg seeks a total of \$60,507.32 in its Bill of Costs. The costs set out in Neweggs' Bill of Costs are reasonable and were necessarily incurred by Newegg in this case. Moreover, the services for which Newegg seeks costs were actually and necessarily performed.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on this 10th day of February, 2014 in Pittsburgh, Pennsylvania.


Kent E. Baldauf, Jr.